

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

SENTENCING MINUTE SHEET

CR No.	21-1326-MV			USA vs.	Espinosa		
Date:	April 27, 2023			Name of Deft:	Epifanio Espinosa		
Before the Honorable				Martha Vázquez			
Time In/Out:	9:36 a.m. / 10:34 a.m.			Total Time in Court (for JS10):	58 minutes		
Clerk:	Linda Romero			Court Reporter:	Andrea Lynch (by Zoom)		
AUSA:	Paul Spiers			Defendant's Counsel:	Wayne Baker		
Sentencing in:	Santa Fe, New Mexico			Interpreter:			
Probation Officer:	Jason Hunt			Sworn?	<input type="checkbox"/>	Yes	<input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/>	Plea	<input type="checkbox"/>	Verdict	As to:	<input checked="" type="checkbox"/>	Information <input type="checkbox"/> Indictment
If Plea:	<input checked="" type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	Adjudged/Found Guilty on Counts:		
If Plea Agreement:	<input checked="" type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	<input type="checkbox"/>	No Plea Agreement	Comments:
Date of Plea/Verdict:	1/31/23			PSR:	<input checked="" type="checkbox"/>	Not Disputed	<input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed <input type="checkbox"/> Needed
Exceptions to PSR:							
SENTENCE IMPOSED				Imprisonment (BOP): 70 days or time served, whichever is less			
Supervised Release:	5 years			Probation:	500-Hour Drug Program		
Court recommends ICE begin removal proceedings immediately or during service of sentence						ICE not applicable	
SPECIAL CONDITIONS OF SUPERVISION							
<input checked="" type="checkbox"/>	Substance abuse testing (up to 60 tests per year)			<input type="checkbox"/>	Home confinement for _____ months _____ days		
<input checked="" type="checkbox"/>	Inpatient substance abuse treatment program (waive confidentiality) (Four Winds in Rio Rancho)			<input checked="" type="checkbox"/>	Community service for 20 hours during term of supervision		
<input checked="" type="checkbox"/>	Outpatient substance abuse treatment program (waive confidentiality)			<input type="checkbox"/>	Reside residential reentry center _____ months _____ days		
<input checked="" type="checkbox"/>	Mental health treatment program (waive confidentiality)			<input type="checkbox"/>	Register as sex offender		
<input checked="" type="checkbox"/>	No alcohol/intoxicants (up to 4 tests per day)			<input type="checkbox"/>	Participate in sex offender treatment program		
<input checked="" type="checkbox"/>	Submit to search of person/property			<input type="checkbox"/>	Possess no sexual material		
<input checked="" type="checkbox"/>	No contact with co-conspirator			<input type="checkbox"/>	No computer with access to online services		
<input type="checkbox"/>	No entering, or loitering near, victim's residence			<input type="checkbox"/>	No contact with children under 18 years		
<input type="checkbox"/>	Provide financial information			<input type="checkbox"/>	No volunteering where children supervised		
<input type="checkbox"/>	Grant limited waiver of confidentiality			<input type="checkbox"/>	Restricted from occupation with access to children		
<input checked="" type="checkbox"/>	No psychoactive substances			<input type="checkbox"/>	No loitering within 100 feet of school yards		
<input checked="" type="checkbox"/>	OTHER: No drug paraphernalia Defense counsel requests and Court removes the standard condition of the requirement for a defendant to be employed, since the defendant is on social security disability.						
Fine:	\$	0			Restitution:	\$	0
SPA:	\$	100 (\$100 as to each Count)			Payment Schedule:	<input checked="" type="checkbox"/>	Due during term of supervision <input type="checkbox"/> Waived
OTHER:	Forfeiture						
<input type="checkbox"/>	Advised of Right to Appeal		<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement			
<input type="checkbox"/>	Held in Custody		<input type="checkbox"/>	Voluntary Surrender			
<input type="checkbox"/>	Recommended place(s) of incarceration:						

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	Dismissed Counts:	
OTHER COMMENTS	Court addresses defendant and identifies documents she has reviewed in preparation for sentencing. Defense counsel addresses Court. Defendant addresses Court. Government counsel addresses Court. Court addresses defendant and imposes sentence. Defense counsel requests and Court removes the standard condition of the requirement for a defendant to be employed, since the defendant is on social security disability. Court advises defense counsel that if the defendant does well on supervision for two years, he can submit a motion for early termination of supervision.	